IMT Nuremberg Archives

H – 5166

International Court of Justice

H-5166

Written Orders of

I. M. T.

English & ~~[illegible]~~

Written Orders English

H5166 – 0002

No. 14.

RAEDER.

H5166 – 0003

H5166 – 0004

INTERNATIONAL MILITARY TRIBUNAL

THE UNITED STATES OF AMERICA, THE FRENCH REPUBLIC, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and THE UNION OF SOVIET SOCIALIST REPUBLICS

- against -

HERMANN WILHELM GORING, et al.

Defendants

Order

WHEREAS and indictment has been lodged with the Tribunal against the above defendants:

AND WHEREAS such indictment shows that the Chief Prosecutors intend to ask this Tribunal:

(1) to find that certain of the defendants were members of DIE REICHSREGIERUNG (REICH CABINET); DAS KORPS DER POLITISCHEN LEITER DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI (LEADERSHIP CORPS OF THE NAZI PARTY); DIE SCHUTZSTAFFELN DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITER-PARTEI (commonly known as the "SS"), and including the SICHERHEITSDIENST (commonly known as the "SD"); DIE GEHEIME STAATSPOLIZEI (SECRET STATE POLICE, commonly known as the "GESTAPO"); DIE STURMABTEILUNGEN DER N.S.D.A.P. (commonly known as the "SA"); and the GENERAL STAFF and the HIGH COMMAND of the GERMAN ARMED FORCES, and

(2) to declare that said groups and organizations were criminal organizations

IT IS HEREBY ORDERED that notice shall be given to the members of such groups and organizations in the following form and manner:

(a) Form of Notice
(Reproduced separately)

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(b) Manner of Notice

IT IS FURTHER ORDERED:

THAT publication in the German language be made throughout the zones of occupation in Germany over the radio, in newspapers and, if practicable, by the form of postings ordinarily employed by the military authorities in conveying information to the civilian population. Such radio and newspaper publication shall be made once a week for four weeks and over a sufficient number of radio stations, in a sufficient number of newspapers or by posting in a sufficient number of places to give the widest possible dissemination throughout the occupied territory of the notice set forth in paragraph (a) above.

THAT publication in the German language be made wherever practicable in the prisoner of war camps in which Germans are imprisoned, in such manner as the officers commanding such camps may decide.

The appropriate occupation authorities are requested to cooperate with the General Secretary of the International Military Tribunal in making this publication and the General Secretary shall make written report to the Tribunal of the action taken.

Geoffrey Lawrence
President

Attest:

Harold B. Willey
General Secretary

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INTERNATIONAL MILITARY TRIBUNAL

Statement by the Presiding Member of the Tribunal at the Opening Meeting of the Tribunal for the Receipt of the Indictment by the Tribunal from The Chief Prosecutors.

In pursuance of the Agreement by the Government of the Union of Soviet Socialist Republics, the provisional Government of the French Republic, the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for the prosecution and punishment of the major war criminals of the European Axis dated at London 8th August, 1945, and of Article 22 of the Charter annexed thereto constituting this International Military Tribunal, this meeting is held at Berlin for the reception of the Indictment under the Agreement and Charter.

I hereby announce that the meeting of the International Military Tribunal is open.

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THE INTERNATIONAL MILITARY TRIBUNAL

Rule 2(d)

Each Defendant has the right to conduct his own defense or to have the assistance of counsel. Application for particular counsel shall be filed at once with the General Secretary of the Tribunal at the Palace of Justice, Nuremberg, Germany. The Tribunal will designate counsel for any Defendant who fails to apply for particular counsel or, where particular counsel requested is not within ten (10) days to be found or available, unless the Defendant elects in writing to conduct his own defense. If a Defendant has requested particular counsel who is not immediately to be found or available, such counsel or a counsel of substitute choice may, if found and available before trial, be associated with or substituted for counsel designated by the Tribunal, provided that (1) only one counsel shall be permitted to appear at the trial for any Defendant, unless by special permission of the Tribunal, and (2) no delay of trial will be allowed for making such substitution or association.

H5166 – 0008

3 December 1945

NOTICE TO ALL COUNSEL FOR DEFENDANTS

Interrogation of Defendants

The following extract of a Memorandum to the U. S. Chief of Counsel by the Tribunal dated 29 November 1945, is published for the information of all concerned:

> "The Tribunal holds, that Defendants may be interrogated with their consent, but that they must be informed that they are entitled to have their counsel present, and that their counsel are entitled to ask them questions."

/s/ WLM

WILLIAM L. MITCHELL
Brigadier General, U.S. Army
General Secretary

COPY TO:
CG, IMT Command
Colonel Andrus
Capt. Wurmser

H5166 – 0009

Nurnberg
10 December 1945

NOTICE
FOR DEFENDANTS INFORMATION ROOM
BULLETIN BOARD

IN RE: THE REQUEST OF THE CHIEF PROSECUTORS TO DECLARE THE CRIMINALITY OF CERTAIN ORGANIZATIONS, AND APPLICATIONS IN RESPECT THERETO.

The Tribunal considers that a member of an accused organization who has applied to be heard on the question of the criminal character of the organization is not a defendant in the cause. Representative applicants will be permitted to give evidence but will have the individual status of witnesses only, and can be cross-examined by the Prosecution and by the Defense Counsel. Counsel representing any group or organization charged in the Indictment may, however, exercise on their collective behalf the rights accorded by the Charter to counsel for individual defendants, including the right to interrogate and cross-examine witnesses and the right to address the court. In the exercise of these rights counsel must confine themselves to the issue of the criminality of the organization.

W. L. MITCHELL
Brigadier General, US Army
General Secretary
International Military Tribunal

Copies to
Chief Prosecution

H5166 - 0010

INTERNATIONAL MILITARY TRIBUNAL
Office of the General Secretary

26 February 1945

The Tribunal makes the following order with respect to the applications for witnesses and documents filed on behalf of the defendants Goering, Hess, Ribbentrop and Keitel:

WITNESSES

Goering

1. The following witnesses are granted:

Bodenchatz
Dahlerus
Brauchitsch
Kesselring
Milch
Lohse
Dr. Paul Schmidt (Interpreter)

2. The following witnesses are granted if they are found to be in Germany; otherwise, interrogatories are allowed:

Koller
Koerner

3. Interrogatories are allowed to the following:

Ueberreither
Halifax
Obilvie-Forbes
Hammerstein
Kammhuber
Student
Ondarza
Bunjes

Hess

1. The following witnesses are granted:

Sperr
Bohle

2. Counsel is granted permission to interview the witness Schellenberg in the presence of a representative of the Prosecution.

3. Interrogatories are allowed to Alfred Hess.

Ribbentrop

1. The following witnesses are granted:

Gaus
Blank
Gottfriedsen
Schaub
Steengracht
Fabricius
Ritter (limited to the matter set forth in the second paragraph of the application)
Grandherr

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Ribbentrop (Cont'd)

2. Dahlerus and Dr. Paul Schmidt (Interpreter) will be available for examination when called as witnesses for the defendant Goering.

3. Interrogatories are allowed to the following:

Hesse
Burckhardt (limited to material set forth in first paragraph of the application)
Feldscher
Londonderry
Kemsley
Beaverbrook
Vansittart
Paul Schmidt (Minister)

4. The following witnesses are denied for the reason that on the application made, it appears that their testimony would be irrelevant or cumulative:

Sonnleitner
Rintelen
Hilger
Bruns
Koestring
Churchill
Schuster
Craigie
Monsell
Doernberg
Schnurre
de Polignac (2)
de Castellano
Daladier
Bonnet
Abetz
Tennant
Conwell-Evans
Jones
Michel

Keitel

1. The following witnesses are granted:

Halder (unless previously called for cross-examination during the Prosecution's case)
Warlimont (unless previously called for cross-examination during the Prosecution's case)
Lehmann
Reinecke
Lammers

2. With respect to co-defendants named in the application, the attention of Counsel is directed to Paragraph 6 of the order of the Tribunal of 23 February 1946.

3. Interrogatories are allowed to the following:

Blomberg
Erue
Roemer
Romilly
Scarpini

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4. The following witnesses are denied for the reason that on the application made, it appears that their testimony would be irrelevant or cumulative:

Junod
Patterson
Peschel
Kreiger
Hergesell

DOCUMENTS

1. The following documents if not already in the defendant's possession will be made available. Passages which defendants' counsel wish to use may be included in their document books. The question of admissibility will be finally determined when each document is offered in evidence.

Goering

Warnungen und Prophezeiengen
Failure of a Mission
Dokumente Der Deutschen Politik
Rnine Pact of Locarno
Memorandum to the Locarno Powers of the 25.5.1935.
Memorandum to the Locarno Powers of 7.3.36
Speech by Ribbentrop before League of Nations on 19.3.36
Treaty of Versailles
Speech by von Neuratn of 16 October 1933
Proclamation by the Reich Government of 16.3.35
Anglo-German Naval Agreement of 17 July 1937
Step by Step, by Winston Churchill
Aufbau einer Nation, by Hermann Goering
Constitution of the German Reich of 11 August 1919
Sista Forsoeket, by Danierus
White Books of the German Foreign Office
Documentations and Reports of German Foreign Office regarding breaches of the Hague Regulations commited by Allies
Hitler Speech of 21 May 1936

Hess

Rudolf Hess Speeches
Conversation with Lord Simon
Directives by the Deputy of the Fuehrer
"....additional pages from documents already collected by the prosecution in the document book, Rudolf Hess."

Ribbentrop

German White Books of the years 1939-1940
Polish document on history of period preceding the War, Berlin, 19 40
French Yellow Book on history of period preceding the war
Reports of League of Nations concerning hardships of minorities in Europe, Polish section
Proceedings of disarmament conferences of the League of Nations (concerning Germany, France, England)
Count Ciano's Diary

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Failure of a Mission
Step by Step, by Churchill
This Man Ribbentrop, By Schwartz
Polish White Book
Ray, Commentaire au Pacte de la Societe des Nations
Gerhard Jentschm, The Chamerlein Cabinet and the Outbreak of the War 1939
Wheeler, The Disarmament Conference
Schueking and Weber and Weber, The League of Nations, Vol. 1

Keitel

Expert's Opinion on State laws
Order of the Fuehrer Nr. 1
1915-PS
2031-PS
Decision of the Reich Cabinet of 21 May 1935
Minutes of 12th Meeting of Reich Committee of experts for defense of the Reich
Minutes of 11th meeting of the Reich Defense Committee
Minutes of 12 meetings of the Reichs Defense Committee
Law for the Defense of the Reich
Excerpt from record of the meeting of the IMT of 7.2.46
C-194
Army regulations g2 (Service Instructions for the Branches of the Wartime Army)
Special Penal Law in War Army Regulation 3/13
666-F
673-F
107-F
USSR 168
USSR 90
USSR 2
Molotov Note, 27.4.42
USSR 115
USSR 36
"Gruene Mappe", USSR 10
USSR 386
USSR 364
USSR 106
USSR 389

2. Applications by the defendant Ribbentrop for the following documents are returned for a specification of the material desired and the dates upon which it appeared;

Daily Telegraph, complete file for month of September 1939
Times, complete file for month of September 1939
New York Times, complete file for month of September 1939
Baseler or Zuericher Nachrichten, complete file for September 1939

With respect to the number of the Daily Telegraph for 31 August 1939, said to have been withdrawn from circulation, no action will be taken pending inquiry by the General Secretary into the existence of the document in question.

3. The application of the defendant Keitel to use the affidavits of the following persons is denied on the ground that they may be called as witnesses:

Affidavit of the retired Reichsminister Hermann Goering,
Characteristics of Keitel

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Affidavit of defendant Wilhelm Keitel re Personality of Hitler
Affidavit by General-Judge Dr. Lehmann on the question, Field Marshal Keitel as Chief of the High Command of the Armed Forces
Affidavit by General Warlimont on the position of Field Marshal Keitel as Chief of the High Command of the Armed Forces
Affidavit by Admiral Raeder on the position of Field Marshl Keitel as Chief of the High Command of the Armed Forces
Affidavit by Admiral Doenitz on the position of Field Marshal Keitel as Chief of the High Command of the Armed Forces
Affidavit of General Reinecke on the High Command of the Armed Forces and the Prisoners of War System

4. The following documents are denied as irrelevant:

Goering

Der Ureprung des Weltkrieges
Speech by President Wilson of 8 January 1918
Note of President Wilson of 5 November 1918
Speech by Paul Boncour of 8 April 1927
Speech by General Bliss (USA) in Philadelphia
Speech by Lloyd George on 7 November 1927
Articles in "Revue de Paris", Cecil Viscount, 1 March 1924 and 18 November 1928
Memorandum for the Peach Conferences of 25 March 1919, Lloyd George
Letter to Lloyd George, 22.5.19., by General Smutz
Letter to President Wilson, 30.5.19., by General Smutz
Missive of October 1924 to Professor Ludwig Stein by Tchitcherin
Total War, by Fuller

Keitel

The Need for a Ministry for Armament, by Williason
Decree concerning the Establishment of a Military Academy
Total War, General Fuller
The Whispering Gallery of Europe, by Temperley
Copy from a report to the Daily Express by Lloyd George
Excerpt from The Anschluss Problem in its Cultural, Political and Economic Importance
Second memorandum of the Austrian-German Volkebund Vienna 1926
Third memorandum of the Austrian-German Volksbund Vienna 1931

FOR THE TRIBUNAL:

W. L. MITCHELL
Brigadier General, U.S. Army
General Secretary

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INTERNATIONAL MILITARY TRIBUNAL
Office of the General Secretary

8 March 1946

The Tribunal makes the following order with respect to applications for witnesses and documents filed on behalf of the defendants Speer, von Neurath, and Fritzsche:

WITNESSES

Speer

1. Interrogatories are allowed to the following:

Hupfauer
Rohland
Schmelter
Schieber
Fränk
Kehrl
Saur
Malzacher
Stahl
Bouhle
Frau Kempf
Wolff
Prof. Koch
von Poser
Stuckart
Guderian
Brandt
Baumbach
Polleck
Zander
Berger

2. In view of the order of the Tribunal of 8 March 1946, that interrogatories shall not be used if the person to be interrogated was previously called as a witness by another defendant, no decision is made with respect to the application for interrogatories to Milch.

3. The application that the Tribunal designate experts on economic questions is denied.

von Neurath

1. The following witnesses are granted:

Koepke
Schmidt
Stroelin
Zimmermann
Voelkers or Holleben

2. Interrogatories are allowed to the following:

Diekhoff
Pruefer
Schwerin-Krosigk
Blomberg
Halifax
Mastny
Wurm
Voelkers or Holleben (whichever is not called as witness)

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3. Gauss will be available for examination when called for the defendant Ribbentrop.

4. Counsel may apply again to summon Schwerin-Krosigk as a witness upon receiving the response to interrogatories.

Fritzsche

The following witnesses are granted:

Schirmeister
Kriegk

Rosenberg (Supplemental Application)

Interrogatories are allowed to Braeutigam.

DOCUMENTS

1. The following documents if not already in the defendant's possession will be made available. Passages which defendant's counsel wish to use may be included in their document books. The question of admissibility will be finally determined when each document is offered in evidence.

Speer

Text of the Protocol of the Central Planning Body of 26.1.1943

Text of minutes of the meeting of the Central Planning Body of 21.12.1943

Letter from Speer to General Studt of 4.1.1944

Letter from Speer to Sauckel of 6.1.1944 regarding employment of labour in France

Letter from Speer to Sauckel regarding the employment of female labour in England of 28.1.1944

Letter to Sauckel of 11.3.44 regarding the reserved industries in the West

Fuehrer Protocol of 19./22.6.1944

Fuehrer Protocol of 11./12. September 1943

Fuehrer Protocol of 4./5. August 1943

Fuehrer Protocol dated 21./22.3.1942

Fuehrer Protocol dated 30.9./1.10.1943

Fuehrer Protocol dated 30.5.1943

Letter from Hitler to Speer with instructions to Dorsch dated April 1944

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Memorandum from Speer to Hitler on the fuel production dated 30.6.1944

Speer's memorandum to Hitler dated 30.8.1944 on the chemical production situation

Memorandum from Speer to Hitler on the results of air attacks on the Ruhr area dated 11.11.1944

Memorandum from Speer to Hitler dated 30.1.1945

Text of a radio speech dated 16.4.1945

Recording of radio speech dated 16.4.1945

Decree regarding the paralysing of factories dated 14.9.1944

Letter from Speer to Bormann dated 15.9.1944

Speer Decree on the paralysing of industry dated 14.9.1944

Communication from Speer to Bormann dated 16.9.1944

Communication from Speer to the Chief of the Civil Administration of Luxemburg, Simon, dated 5.9.1944

Speer's memorandum to Hitler dated 15.3.1945

Hitler's Decree dated 19.3.1945 regarding demolitions

The Decree of the OKW for the enactment of the order for the destruction of traffic installations dated March 1945

The Enactment Decree of the Chief of the OKW Signals dated 22.3.1945

Communication from Speer to Hitler dated 29.3.1945

Hitler Decree dated 30.3.1945 regarding demolition measures

Speer's Decree for the enactment of Hitler dated 30.3.45

Speer Order dated 3.4.1945 not to destroy locks etc.

Hitler Decree dated 7.4.1945 regarding the demolition of bridges.etc.

Enactment Decree of the Chief of OKW Signals dated April 1945 to the Hitler Decree dated 7.4.1945

Drafts of orders to OKW for sparing bridges, dated 5.4.1945

Covering communication from Speer to the Reich Railway, regarding the alleged OKW order dated 5.4.1945

Note dated 4.3.1944 to the General Inspectors of industrial production

Report of the French General Secretary of the Labor Office dated 12.4.1944. Is in the possession of the French Prosecution, is referred to in document R. F. 22 on page 85 as "Bericht ueber die Probleme der Arbeitskraft in Frankreich"

Monthly report of the prefecture of the Seine dated 5.5.1944

Letter from the General Secretary of the Labor Office dated 19.5.1944

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von Neurath

Documents quoted by the English prosecution in the English trial brief and by the Russian prosecution in the report of the Czechoslovakian delegation submitted to the United Nations War Crimes Commission in London - USSR 60.

A number of documents which are already in counsels possession. They have all been published in "World history in Documents" by Frauendienst, and in "Documents of German Policy".

Minutes of the meeting of the disarmament conferences of 11 December 1932.

Minutes concerning the interrogation of the former Staatssekretaer with the Government of the Reich Protector of Bohemia and Moravia, Karl Hermann FRANK of: 29 May 1945; 30 May 1945; 10 June 1945; 11 June 1945.

Assistance pact between France and the USSR of 1935.

Minutes of the meetings of the League of Nations (Disarmament Conference) of May 1933.

Fritzsche

Texts of all radio speeches of the defendant Fritzsche from the year 1932 to 1945

Archive of the section "German Express Service" (Deutscher Schnelldienst) of the department "German Press" at the Reich Propaganda Ministry.

Rosenberg

"Voelkischer Beobachter", March and September 1933

2. The following document is denied as irrelevant:

Speer

Project of the Central Planning Body for the distribution of iron.

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INTERNATIONAL MILITARY TRIBUNAL
Office of the General Secretary

8 March 1946

The Tribunal makes the following order with respect to the applications for witnesses and documents filed on behalf of the defendants Kaltenbrunner, Rosenberg, Frank, Frick, Streicher, Funk, Schacht and Doenitz:

WITNESSES

Kaltenbrunner

1. The following witnesses are granted:

Neubacher
Scheidler

2. The following witnesses may be recalled for cross-examination before calling the witnesses for Kaltenbrunner, but counsel is not permitted to interview the witness before he is recalled:

Ohlendorf
Hoellriegel
Wisliceny
Schellenberg

3. Interrogatories are allowed to the following:

Burckhardt
Brachmann
Meyer
Wanneck
Eigruber
Hoettl
Eberstein
Mildner

4. The following witness is denied for the reason that on the application made it appears that his testimony would be irrelevant:

Rainer

Rosenberg

1. The following witnesses are granted:

Riecke
Beil

2. Lammers will be available for examination when called by the defendant Keitel.

3. Interrogatories are allowed to the following:

Stellbrecht
Scheidt
Scholtz

Counsel may renew the application to call Scheidt and Scholtz as witnesses if their responses to interrogatories indicate a basis for allowing their testimony.

4. The following witnesses are denied for the reason that on the application made it appears that their testimony would be irrelevant:

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Dankers
Astrouski
Haiding

5. The applications for Brautigam and Kunneth will not be considered by the Tribunal until they are submitted in writing.

Frank

1. The following witnesses are granted:

Buehler
Burgsdorff
Kraffzcyk
Bilfinger
Struve

2. Lammers will be available for examination when called for the defendant Keitel.

3. Interrogatories are allowed to the following:

Meissner
Meidinger
Gassner
von Epp
Stepp
von Palezieux
Boepple
Naumann

4. Counsel may offer in evidence the affidavit of Bach-Zelewski, subject to the right of the Prosecution to have him called for further examination.

5. The following witnesses are denied for the reason that on the application made it appears that their testimony would be irrelevant or cumulative:

Ohlenbusch
Senkowskz
Eisfeldt
Losacker
Teitge

Frick

1. The following witnesses are granted:

Daluege
Diehls
Gisevius

2. The supplementary application of the defendant Keitel to call Stuckart as a witness is granted. Lammers and Stuckart will be available for examination when called for Keitel.

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3. Interrogatories are allowed to the following:

Gillhuber
Messersmith

4. The application to summon Denson is denied with the direction that counsel be provided a certified copy of the evidence of Blaha in the trial at Dachau.

Streicher

1. The following witnesses are granted:

Streicher, Adele
Hiemer
Wurzbacher
Strobel

2. Interrogatories are allowed to:

Herrwerth

3. The application to call Lothar Streicher is denied upon condition that the Prosecution consent to strike the matter in the Prosecution's case to which his evidence would be directed.

Funk

1. The following witness is granted:

Hayler

2. Lammers will be available for examination when called by the defendant Keitel.

3. Interrogatories are allowed to the following:

Landfried
Funk, Luise
Puhl
Schwedler
Amann
Roesen
Kallus

4. Counsel may offer the affidavit of Oeser, subject to the right of the Prosecution to have him called for cross-examination.

Schacht

1. The following witnesses are granted:

Strunck
Vocke
Hulse

2. Gisevius will be available for examination when called for the defendant Frick.

3. Interrogatories are allowed to the following:

Gronau
Scherpenberg
Schmid, Carl C.
Schniewind
Thomas, Gen
Asmis
Reuter
Berckemeyer

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Doenitz

1. The following witnesses are granted:

Eckhardt
Wagner
Hessler
Godt

2. Interrogatories are allowed to the following:

Messersmith
Kreisch
Roesing
Suhren
Eck

3. Interrogatories are allowed to Admiral Nimitz in so far as the questions to be submitted bear on the construction of the London Treaty or on the laws and customs of Naval Warfare. The interrogatories proposed by Counsel shall be submitted to the Tribunal with the comments of the Prosecution.

DOCUMENTS

1. The following documents if not already in the defendant's possession will be made available so far as possible. Passages which defendants' counsel wish to use may be included in their document books. The question of admissibility will be finally determined when each document is offered in evidence.

Rosenberg

The Myth of the 20th Century, Munich 1935 by Rosenberg
Formulation of The Idea, 5th Edition Munich 1938 by Rosenberg
Blood and Honor, Munich 1934, by Rosenberg
Tradition and Present, Munich 1941, by Rosenberg
Writings and Speeches, Vol. I, Munich 1934, by Rosenberg
Remarks over conversation with the Reichcommissioner for the Use and Employment of Labor Sauckel of the 14th of April 1943.
Interpretation by Reichcommissioner Koch as of the 5th of February, 42, regarding his office.
Secret Decree of Rosenberg to Koch. Treatment of Civilians in the Ukraine, 14 Dec. 1942.
Decree of 13 May 1942. Behavior of the German Administration and the morale of the Ukranian population.
Memorandum of Koch to Rosenberg in justification of his policy in the Ukraine.
Letter of Rosenberg to Reich Minister Dr. Lammers of 12 October 1944 containing a letter to Hitler.

Frank

All correspondence between theGovernor General and the Reich Chancellory.
The personal files of the defendant Frank in the Reich Main Security Office in the Secret State Police HQ in the SD-HA.

Frick

"We Build Up"
"Inside Europe"
Directives of the Reich Minister of the Interior of April 12, 1934, concerning protective custody.
Excerpt from "Voelkischer Beobachter" of April 13, 1934.
Memorandum of the Minister of Interior for the Reich and Prussia concerning the abuses in the imposition of protective custody.
Files of the police division of the Reich Ministry of Interior from 33 to '34.
Letter of the Former Reichstag Deputy Wulle on protective custody, Dec. 17, 1945.

Certified copy of the evidence of Blaha at the Dachau trial.
Excerpt from the budget of the Reichprotector in which the change of the legal position of the Reichprotector decreed by Hitler is pointed out.
"To the Bitter End".

Funk

"Walter Funk, a Life for the Economy" - 1941.
The legal file (Gerichtsakt), of the criminal proceedings against the SS men in Dachau.
Speeches of Funk delivered in Vienna and Koenigsberg.
Voelkischer Beobachter of 12 March 1944 on Funk's speeches of 11 March and 15 October 1938, and on Funk's Speech in Sofia on 14 October 1938.

Schacht

Extracts from printed speeches and books by Schacht, e.g. End of Reparations.
Karl Bopp: H. Schacht, Central Banker.
Documents of German Politics (Dokumente der Deutschen Politik) etc.
Schacht's Königsberg Speech of 18 August 1935.
Memorandum of Schacht to Hitler on 3 May 1935.
Letter of Schacht to Generalfeldmarschall von Blomberg of 24.12.1935.
Memorandum by Hitler regarding the Four Year Plan of August 1936.
Letter of Schacht to the defendant Goering of 3.11.42.
Teleprint telegram of the co-defendant Goering to the defendant Schacht dated 24.1.1943.
Notes against Hitler, letter from Secretary of State Lammers, copies of letters from the defendant Schacht to Funk, Hitler, the newspaper "Das Reich" etc.
Memorandum of Adolf Hitler against Schacht and regarding the Four Year Plan of August 1936.
Legally attested copy of the letter of dismissal of Dr. Schacht as Minister without Portfolio, 22 Jan. 43.
Lecture by Schacht on 9.12.1936 to the Geographical and Statistical Society in Frankfurt am Main on Financial and Colonial questions.
Address by the defendant Schacht at the celebration of the Registration and Emancipation of the Chambers of Industry and Commerce, in the Chamber of Trade in Berlin on May 1937.
Article by Schacht, Germany's Colonial Problems.
Schacht's Königsberg speech of 18 August 1935.

Doenitz

Excerpts from war diaries of the Naval High Command, the Commander of U. boats, and the individual submarines.
Excerpts from the handbook for U. boats commanders and the standing war time orders of the commander of U. boats.
"British Confidential Fleet Orders" and "Admiralty Merchant Shipping Instructions" from 1939 to 1940 (in accordance with stipulation of prosecution).

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2. The defendant Rosenberg has applied for the following books and documents:

"History of the Newer Philosophy" by Falckenberg
"Creative Stupidty" by Hellpach
"The Philosophy of the Present" by Messer.
"The Religious Condition of the Present" by Tillich
"Phenomenology of Religion" by van der Leeuw
"Introduction into the Metaphysics" by Bergson
"The Decline of the Great Race" by Grant
"The Aryan and his Meaning for theCommunity" by de Lapouge
"Three Speeches about Judaism" by Buber.
"Of the Mind of Judaism"
"The Jewish Movement"
"Racial Science and Racial History of Humanity" by von Eickstedt
"The Racial Basis of theGerman People" by von Eickstedt
"Racial and Ethnological Science" by Muehlmann
"Ethnology" by Schedit.
"Race and Culture" by Keiter
"Introduction to the Psychology of the Nations" by Hellpach
"Hitler a German Fate" by Niekisch

With respect to this application the Tribunal rules that the books do not constitute evidence. They may be used by counsel so far as appropriate, for the purpose of argument and to this end they will be produced as far as possible. Any particular passages which counsel wishes to quote shall be incorporated in the document book for translation.

3. The following documents are denied as irrelevant:

Rosenberg

"Der Jude", 1915-1917
"Das Tagebuch", 11 Dec 1926
"Das Tagebuch", 1929
"Vossische Zeitung" of 5 Jan 1929 and 27 Sept 1931
"Berliner Boersen" Courier of 6 April 1928
"Die Weltbuehne" No. 23 of 18 August 1928
"Juedische Presszenthrale Zuerich", 1924, 1928
"Hamburger Israelitisches Familienblatt" of 20 Sept 1928
"General-Anzeiger Fur Dorthund" of 12 Nov 1929
"American Herren" of 3 June 1938
"Kunstwart", 1911
"History of the Jews in Germany", Berlin 1933
"History of the Jewish People", Stuttgart 1927

Frick

"Minutes of Foreign Affairs Committee", Dec 1932

4. The application of the defendant Frick to use the affidavit of Stuckart is denied on the ground that Stuckart will be available for examination when called as a witness for the defendant Keitel.

FOR THE TRIBUNAL:

W. L. MITCHELL
Brigadier General, U. S. Army
General Secretary

H5166 - 0025

INTERNATIONAL MILITARY TRIBUNAL
Office of the General Secretary

9 March 1946.

The Tribunal makes the following order with respect to the applications for witnesses and documents filed on behalf of the defendants Raeder, von Schirach, Hess, Jodl, von Papen and Seyss Inquart:

WITNESSES

Raeder

1. The following witnesses are granted:

Lehmann(unless interrogatories are sufficient)
Severing
Schulte-Moenting
Wagner
Weizsaecker
Boehm

2. Interrogatories are allowed to the following:

Altrecht
Suechting
Blomberg
Lackern
Schultze

3. The following witness may be interviewed:

Buerkner

4. The following witnesses are denied for the reason that on the application made it appears that their testimony would be irrelevant or cumulative:

Renneberger
Schreiber
Whist
Goldenberg

5. With respect to Seltmann, in view of the interrogatories allowed to the defendant Jodl, no further order is necessary at the present stage.

Baldur von Schirach

1. The following witnesses are granted:

Wiesshofer
Hoepken, Gustav
Lauterbacher

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Schluender
Hoffmann

2. Interrogatories are allowed to the following:

Hoepken, Maria
Schmidt
Klingspor
Roesen
Vasseau
Schneeberger
Blomberg

3. The following witness is denied on the grounds that on the application made it appears that his evidence would be cumulative:

Scharizer

Hess (on supplemental application)

1. The following witnesses are granted:

Bohle
Stroelin
Leitgen

2. Interrogatories are allowed to the following:

Hess, Alfred
Sperr
Haushofer

Jodl

1. The following witnesses are granted:

Winter
Schramm
Buechs
Buttlar
Buerkner

2. Interrogatories are allowed to the following:

Kipp
Heim
Buhle
Waizenegger
Schoch
Vormann
Greiffenberg
Soltmann
Toussaint
Falkenstein
Christian
Koller

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Brudermueller
Blaskowitz
Krieger
Peschel

Von Papen

1. The following witnesses are granted:

Lersner
Tschirschky
Kageneck
Josten

2. Interrogatories are allowed to the following:

Erbach-Schoenberg
Kroll
Gawrronski
Visser
Roncalli
Marchionini
Horthy
Groeber
H.M.King Gustav of Sweden

3. The following witnesses are denied on the grounds that on the application made it appears that their evidence would be irrelevant:

de Nothomb
Beaulieu

Seyss Inquart

1. The following witnesses are granted:

Glaise-Horstenau
Schmidt
Skubl
Reiner
Wimmer
Schwebel
Fischboeck
Hirschfeld

2. Interrogatories are allowed to the following:

Voelkers
von der Wense
Hanema
Brueckner
Reuter
Kleffel
Stricker

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Fritsch
Lindhorst-Norman

3. The following witness is denied on the grounds that on the application made it appears that his evidence would be cumulative:

Bolle

DOCUMENTS

1. The following documents if not already in the defendant's possession will be made available so far as possible. Passages which defendants' counsel wish to use may be included in their document books. The question of admissibility will be finally determined when each document is offered in evidence.

Raeder

Meyer, diary of the navy of 1933, 1935 and 1936.
Nautikus, yearbook of the navy of 1933, 1935 and 1936.
Report by General G. C. Marshall, U. S. Chief of Staff dated 1st October 1945.
Files of the British Admiralty covering the period of May 1939 to April 1940 regarding plans, preparations and negotiations about military intervention of the allies in Scandinavia, Finland.
"Mein Kampf" first edition.

Baldur von Schirach

"Hitler Youth, Idea and Formulation"
"Revolution of Education"
"The Flag of the Persecuted".
"Will and Power"
"People and Reich"
"Youth and Home" and the Picture book of Hitler Youth".
"The Foreign House of the Hitler Youth near Berlin on the Havel".
"Look, the Heart of Europe"
"Christmas Gift of the War Welfare Service of the Reichsleiter von Schirach".
"The Archive"

Jodl

Special orders for conduct on the occupation of Denmark and Norway.
Special regulations for the administration and pacification of the occupied territories of Holland, Belgium and Luxembourg.

that the occupation of Norway, Belgium the Netherlands and Luxembourg was to be carried out in a manner completely in accordance with international law and humane.

Release of the reconnaissance and the attack against all naval forces in the Greek territorial water of the Island of Crete.
Report No.10 of the Reich Ministry for the Occupied Eastern Territories, among other things on blowing up of mines by the Soviets in Kiev.

attitude towards commando squards (Kommandotrupps) organization and subordinate relations in the working staff of the Fuehrer(Arbeitsstab des Fuehrers)

Instructions of the year 1930, on prohibition of terror attacks on London, among them instruction No.17 of 1 August 1940.

Information leaflet 88/2 "Partisan warfare". (Bandenbekaempfung)

Order on military propaganda in the campaign against the USSR of June 1941.

German service regulations for the conduct of field operations during war(Deutsche Dienstvorschrift fuer die Truppenfuehrung im Kriege)

instructions for concentration of German troops to safeguard all borders.

conduct of war in the West. Instruction /2

conduct of war in the West. Instruction /9.

4 Skotches of Godl - Distribution of forces of the German Wehrmacht in the pre-war period and in the Spring of 1940.

Report of the U.S.A. Chief of the General Staff, General George Marshall.
Compilation of the German Foreign Office on breaches of International Law by foreign powers.

History of the White Russian Partisan War (Geschichte des Weissrussischen Partisanenkrieges)

Von Ihnen

Sumner Welles, Edition for the Armed Forces: "The Time for Decision".
Sir N. Henderson, "The failure of a Mission".
Bishop Dr. Alois Hudal, Rome: (Johannes Guenther Edition Leipzig).
"The foundations of National-Socialism".
Adolf Hitler "Mein Kampf".

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Schulthess' European historical calendar, year 1932 and 1933.
Documents on German policy, edited by Regierungstrat Paul Maier-Bonnecksnstein.
"The Archives" edited by Alfred-Ingemar Berndt.
Franz von Papen: "Appeal to the German Conscience" vols. 1 and 2.
Letter of the defendant von Papen to Hitler on July 16, 1936.

SEYSS-INQUART

Leopold Kunschak: "Austria 1918-1934".
Dr. Kurt von Schuschnigg: "3 Times Austria".
Berber: "The Dictate of Versailles".
Kleinschmied: "Schober, His Life and Work for Austria".
Kleinwaechter: "The Problem of the Anschluss".
Archives 1937/38
Freundienst: "World History in Documents".
"The Truth about Austria".
"A Pact with Hitler".
"Austria goes to Work".
Dr. Karl Renner: "Three Months of Reconstruction Work of the Provisional State Government of the Republic of Austria".
Churchill: "Step by Step".
"Concentration Camps RF No. 321".
1st Memorandum: "Why do we Demand the Anschluss".
2nd Memorandum: "On the Way to the Anschluss".
"Neue Zeitung of 18 October 1945". Article by Sir Walford Selby.
"Neue Zeitung of 11 January 1946".
Summer Welles: "The Time for Decision".
Das Wiener Tagblatt of 3 April 1938.
Oesterreichisches Jahrbuch of the year 1934.
Periodical Der Anschluss of 12 November 1938.
Periodical Der Anschluss of 16 July 1938
2237 PS Buerckel to Goering
3271 PS Seyss-Inquart to Himmler
"The Foundations of National Socialism".
3523 PS Letter of Dr. Seyss-Inquart to Henlein
3522 PS Letter of Dr Seyss-Inquart to Henlein
D 571 US Exhibit 112.
U SSR 223 Excerpts from the Diary of Hans Frank
Official publication of the HSSUPF on the executions occasioned by the attack on Reuter (HSSUPF) in March 1945.
Weekblad van het Recht S 104 Holland, year 1942 of 27 January. The Supreme Court of Holland has declared in a decision of 12 January 1942 that the Reich Commissioner has the right to issue legally valid orders.

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Newspaper: "Rotterdamordic Courant" August 1942 with announcements of the WBN, respectively HSSUPF.

Official proclamation of the Reich Commissioner of 18 May 1942 concerning the arrest of 480 hostages.

3430 PS "Four Years in Holland".

2. The following documents are denied as irrelevant:

JODL

English regulations for the conduct of English troops in close combat.

English order of 19 August 1942 seized at Dieppe re treatment of German prisoners of war.

3. With respect to the application of defendant Raeder for War Diaries of the Naval High Command and Commanders of Submarines, decision is reserved pending enquiries in London by Associate Defense Counsel which are presently under way.

FOR THE TRIBUNAL:

W. L. MITCHELL
Brigadier General, U. S. Army
General Secretary

H5166 - 0031

Office of
The General Secretary

13 March 1946

NOTICE TO BE POSTED ON BULLETIN BOARD IN DEFENDANTS' INFORMATION ROOM

The following order with respect to further proceedings on the charge against organizations and the applications of members thereof to be heard has been adopted by the Tribunal.

1. The Tribunal directs that Counsel for the Defendant Organizations shall be entitled to visit any Civilian Internment Camp, Prisoner of War Camp, Prison or Enclosure or other place where members of the Organizations are to be found in the four zones of occupation of Germany and from which applications under Article 9 of the Charter have been received, for the purpose of selecting witnesses to be brought to Nurnberg to give evidence on the criminal or non-criminal character of the accused Organizations.

2. An Officer shall be appointed to accompany Defense Counsel to Camps or other places whose duty shall be to ensure that Defense Counsel are afforded access to members of accused Organizations interned or at liberty and that subject to security regulations they shall receive facilities for consultation with any persons they may desire to select as witnesses and he shall render every assistance that may permit a free and unfettered selection. In addition the said officer shall have power to control and limit as directed by the Tribunal the number of witnesses to be brought to Nurnberg.

3. In the selection of such witnesses the Tribunal directs that Counsel for the Defense shall have regard only to the choice of persons possessing knowledge of matters relevant to the criminal or non-criminal character of the Organizations as provided in paragraph 6 hereunder.

4. When these persons have been brought to Nurnberg Counsel shall have free access to them for the purpose of ascertaining which if any of them Counsel desire to call as witnesses before the Tribunal and which if any of them they desire to examine before a Commissioner. At such examination before a Commissioner Counsel for the Defense and for the Prosecution shall have the usual rights of examination, cross-examination, and re-examination and evidence taken shall be recorded by the Commissioner. The Commissioner shall be Lt. Colonel Neave and he shall have power to hear evidence in Nurnberg or in exceptional cases elsewhere at his discretion and shall recommend to the Tribunal suitable persons to be appointed Assistant Commissioners if the necessity should arise.
This Order shall be carried out under the direction of Lt. Colonel A.M.S. Neave, in collaboration with the Office of the General Secretary and subject to necessary security regulations.

5. After such selection of oral witnesses and examination of other persons Counsel may apply to the Tribunal for leave to call the selected oral witnesses and to offer the evidence of the persons examined provided that their evidence is relevant and not cumulative. Counsel shall also be entitled to apply to the Tribunal to send interrogatories in appropriate cases.

6(a) In this proceeding evidence is considered to be relevant which bears upon the following issues:

(1) Whether the Organization or group charged consisted substantially of an aggregation of persons sharing a general common purpose to engage in activity defined as criminal under Article 6 of the Charter, and, in this connection, what the aims, tasks, activities, methods, structure and component parts of the Organization were;

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(2) Whether membership in the Organization or group was generally voluntary or the result of physical compulsion or legal decree;

(3) Whether the purposes or activities of the Organization or group, defined as criminal under Article 6 of the Charter, were open and notorious or otherwise generally known to the members, so that its membership in general may justly be held to have had knowledge of them at some relevant time.

(b) Evidence is not considered to be relevant in this proceeding which bears only on whether a particular individual was a voluntary or involuntary member or whether he was or was not ignorant of criminal purpose and innocent of criminal activity.

(c) While the Tribunal has concluded that evidence may be taken bearing on the issues defined in paragraph 6(a) hereof, it reserves its judgment as to the materiality of each of these issues in the determination of the criminality of groups or Organizations under Article 9 of the Charter.

/s/ W. L. Mitchell

W. L. MITCHELL
Brigadier General, U.S. Army
General Secretary

Copies to:
All Judges
Chief Prosecutors (Capt. Wurmser)
British Secretary
French Secretary
Soviet Secretary
Major Coleman
Colonel Ray
Colonel Neave
Major Paulson
Mr. Willey
File

INTERNATIONAL MILITARY TRIBUNAL

Office of
General Secretary

23 March 1946

The Tribunal makes the following order with respect to supplemental applications for witnesses and documents:

WITNESSES

Streicher

1. The following witness is granted:

Herrwerth, Fritz (This changes previous ruling in which Herrwerth was granted for an interrogatory.)

Goering

1. The following can be questioned when he is called as a witness by Jodl, to whom he has already been granted.

Buechs

Ribbentrop

1. The following witness is granted:

Hilger

2. Interrogatories are allowed to the following:

Gaus (This changes previous ruling in which he was granted as a witness.)

Papen

1. The following witness is granted:

Kroll (This changes previous ruling in which he was granted for an interrogatory.)

2. Interrogatory is allowed to the following:

Tschirschky (This changes previous ruling in which he was granted as a witness.)

3. An affidavit is granted to the following:

Joston (This changes previous ruling in which he was granted as a witness.)

Seyss-Inquart

1. Interrogatories are allowed to the following:

Ueberreiter
Bolle (Subject to being rejected if cumulative.)(This changes previous ruling in which he had been denied.)

Sauckel

1. The following witnesses are granted:

Dr. Stothfang
Gov. Fischer

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Dr. Jaeger
Priebe, Walter

2. Interrogatories are allowed to the following:

Dr. Voss
Bankdirektor Goetz
Reichsarbeitsminister Seldte
Landwirtschaftsminister Darre
General Reinicke
Dr. Scharrmann

3. Choice of witnesses or interrogatories is granted as follows:

Dr. Timm (
Dr. Letsch (Granted two witnesses and
Dr. Hildebrandt (two interrogatories.
Dr. Geissler (
Oberarbeitsfuehrer Mitschke (Granted one wit-
Hauptdienstleiter Mende (ness and one
interrogatory.

4. All other applications for witnesses are denied as irrelevant or cumulative.

Frank

1. Interrogatory is allowed to the following:

Messersmith

DOCUMENTS

1. The following documents if not already in the defendant's possession will be made available. Passages which defendant's counsel wish to use may be included in their document books. The question of admissibility will be finally determined when each document is offered in evidence.

Ribbentrop

"America in Battle of Continents", by Sven Hedin

Rosenberg

Hitler's letter to Rosenberg, dated 1924

Speer

58th Session of the Central Planning Committee of 25 May 1944
Fuehrer protocol of 10 up to and including the 12 August 1942
21st Session of the Central Planning Committee of 30 October 1942
22nd Session of the Central Planning Committee of 2 November 1942
17th Session of the Central Planning Committee of 28 October 1942
53rd Session of the Central Planning Committee of 16 February 1944
54th Session of the Central Planning Committee of 1 March 1944

Schacht

"Warnings and Prophecies", by Viscount Rothermere

2. The following applications for documents were denied:

Streicher

Files of the trial in the matter of Karl Holz, dated 1931
Denied as irrelevant

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Streicher

Files of the disciplinary proceedings in the matter of Streicher
Denied for the reason that the Prosecution requested the paragraph be struck out of the record.

Rosenberg

Documents re Rosenberg's Antisemitism
Denied as irrelevant

3. The Tribunal decided that no order was necessary on the request of Dr. Luedinghausen (Counsel for NEURATH) for interrogation records of Dr. Gaus, but that he should see Sir David Maxwell-Fyfe, (British Prosecutor) with reference to these records, and also that it should be suggested to him that he is entitled to go and see Gaus in prison.

FOR THE TRIBUNAL:

W. L. Mitchell

W. L. MITCHELL
Brigadier General, U.S. Army
General Secretary

H5166 – 0037

3 April 1946

TO BE POSTED ON DEFENDANTS' INFORMATION CENTER BULLETIN BOARD

SUBJECT: Fees and Travel Expenses for Witnesses at the International Military Tribunal at Nurnberg

The following ruling by the Tribunal is published for the information and guidance of all concerned:

1. Witnesses residing in territory under the administration of the Control Council for Germany will receive as a witness fee a per diem of Reichsmark 18.00.

2. Witnesses residing outside the territory under the administration of the Control Council for Germany will receive as a witness fee a per diem in the equivalent of $7.50.

3. Prisoners of war, other prisoners, witnesses coming under any mandatory arrest category or witnesses who are otherwise detained by or in the custody of one of the Allied Powers will not receive witness fees or any other compensation.

4. In addition to witness fees, witnesses who have to travel a distance of more than one mile from Nurnberg will receive compensation for their disbursements on account of reasonable travel expenses.

Witnesses must travel in the most expeditious manner possible.

Travel expenses means cost of transportation, food, and lodging while away from the place of residence.

5. Witness fees will be paid from the day the witness leaves his place of residence until the day when he returns to his place of residence after being dismissed by the Court.

6. Witness fees and travel expenses will be paid only upon submission of sworn itemized affidavits. These will be submitted to The General Secretary, International Military Tribunal, Room 287, Palace of Justice, Nurnberg, Germany.

7. In individual cases such adjustments shall be made as appear right to the International Military Tribunal.

/s/ W.L.M.
W. L. MITCHELL
Brigadier General, U.S. Army
General Secretary

CC: Gen. Watson
Col. Andrus
Col. Ray
Capt. Bailey
Capt. Sullivan
Lt. Col. Kimball

H5166 – 0038

INTERNATIONAL MILITARY TRIBUNAL

Office of
General Secretary

6 April 1946

The Tribunal makes the following order with respect to supplemental applications for witnesses and documents:

1. Kaltenbrunner

Hoess - Granted as a witness.

2. Keitel

Naville - This witness has already been granted for Goering. Since counsel for the defendant Keitel has stated that interrogatories would be sufficient in the case of Naville, the Prosecution is to be contacted to ascertain their views.

Kreiger (Hitler's stenographer) - Affidavit granted subject to being shown to Prosecution.

3. Schirach

Carossa - Granted affidavit.

4. Funk

Messersmith - Granted interrogatories.

5. Rosenberg

Hitler's decree to Rosenberg of June 1943 - Granted if located.

6. Neurath

Kossuth - Granted interrogatories.

7. Streicher

Herold - Granted affidavit.

FOR THE TRIBUNAL:

W. L. Mitchell

W. L. MITCHELL
Brigadier General, U.S. Army
General Secretary

Col. Ray

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INTERNATIONAL MILITARY TRIBUNAL

Office Of
The General Secretary

11 April 1946

The Tribunal makes the following order with respect to supplemental applications for witnesses and documents:

1. Keitel

Naville - Granted interrogatories.

2. Goering

Naville - Withdrawn as a witness at request of counsel.

3. Sauckel

The following documents are denied as being irrelevant:

"Reich Labor Journal"

Official collection: "Directives, Regulations, Announcements", Vol. 2

Agreement concerning the Ascertainment of Addresses of Eastern Workers

Regulations concerning Family Leaves and Return of Foreign Workers

Circular Letter of Reich Ministry of the Interior dated 21 April 1943 (I 1877/43-5360c) concerning the Burial of Deceased Eastern Workers in Germany

Explanations of Decree No. 11 of the Plenipotentiary for the Utilization of Manpower dated 23 July 1943 concerning Termination of Employment of Eastern workers and Granting of Leaves.

Circular of the Plenipotentiary for the Utilization of Manpower dated 30 August 1943 concerning Separation and Joining of Members of Families amongst the Eastern Workers

Circular of the Plenipotentiary General for the Utilization of Manpower dated 4 September 1943 concerning Supervision of Foreign Workers

Regulations for Employment of Eastern Workers in Family Groups

Regulation No. 13 of the Plenipotentiary General for the Utilization of Labor Concerning Return to Families and Leaves for Foreign Workers dated 2 October 1943

Regulation by Sauckel concerning Transportation Rates for Workers on Leave and those returning home in Special Trains

Regulation of the Plenipotentiary General for the Utilization of Manpower concerning Measures to be taken in Case of Death of Foreign Workers in this Case: Eastern Workers and Poles, dated 5 October 1944

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Proposed Agreement concerning the condition of Enemy Civilians, Extracts from the 15th Conference of the International Red Cross (Tokio 1934)

Film "Foreign Workers in the German Utilization of Manpower"

Decision on other documents for Sauckel will be announced at a later date.

W. L. Mitchell

W. L. MITCHELL
Brigadier General, U.S. Army
General Secretary

H5166 - 0041

INTERNATIONAL MILITARY TRIBUNAL

Office of
General Secretary

17 April 1946

The Tribunal makes the following order with respect to supplemental applications for witnesses and documents:

I. WITNESSES

Hess

Hilger - Denied as irrelevant. ✓

Weizaecker - Denied as irrelevant. ✓

Neurath

mistake [Withdrawal of Koepke as a witness - ~~Granted.~~]

Diekhoff as a witness - Granted. ✓

Substitution of an affidavit for the witness Zimmerman - Granted. ✓

Schacht

Substitution of an affidavit for the witness Huelse - Granted. ✓

Sauckel

Withdrawal of interrogatories for Mende - Granted. ✓

Interrogatories for Marrenbach in place of Mende - Granted. ✓

II. DOCUMENTS

Hess

Original or certified copy of secret agreement made on 23 August 1939 between the German Government and the Government of the USSR.
The agreement which is referred to in affidavit may be translated, submitted to counsel for Prosecution, and will be considered by the Tribunal.

Sauckel

1. The following documents if not already in the defendant's possession will be made available so far as possible. Passages which defendant's counsel wish to use may be included in his document books. The question of admissibility will be finally determined when each document is offered in evidence.

Chart showing direction of labor
Chart showing offices for supervision of the deployment of manpower
Chart showing jurisdiction of collaborators
Affidavit of Dieter Sauckel
Fritz Sauckel's Battle Addresses (Kampfreden), Documents from the time of change and reconstruction
National-Socialist Government-Activity in Thuringia, 1932/33
National-Socialist Government-Activity in Thuringia, 1933/34

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2. The following documents if not already in the defendant's possession will be made available so far as possible as to parts specified by Counsel. Passages which defendant's counsel whish to use may be included in his document books. The question of admissibility will be finally determined when each document is offered in evidence.

General regulations concerning enrollment and deployment of manpower from the east
Decree concerning appointment of the Plenipotentiary for Manpower by the Fuehrer of 21.3.1942 with preamble
Regulation concerning execution of the decree of the Fuehrer about the Plenipotentiary for the deployment of Manpower of 27 March 1942
Regulations, Decrees and Proclamations
Position and treatment of manpower from the east, Regulation of the Reichfuehrer SS from 9.4.1942
Regulation No. 5 concerning the exclusive competence of the administrative offices of administration for deployment of Manpower to accept orders for distribution of manpower of 11.7.1942
Decree of the Fuehrer regarding execution of the decree concerning a Plenipotentiary for Mobilization of 30.9.1940
Decree of the Plenipotentiary for the Utilization of manpower with regard to the position of the deputies of 25.10.1942
Point of view of the Reichsfuehrer SS with regard to "Identification of the workers from the east" of 13.11.1942
Regulation No. 4 regarding the hiring, caretaking, housing, feeding and treatment of foreign workmen and women dated 7 May 1942
Decree of the plenipotentiary for the mobilization of labor dated 25 June 1942 concerning information sheet No. 1 for plant leaders about the procurement of labor for the East
Decree about working conditions of the workmen in the East, dated 30 June 1942, issued by the Council of Ministers for the Defense of the Reich
Information sheet for plant leaders and workers in the East, dated 4 August 1942
Decree and letter of SAUCKEL to the district employment offices and district leaders dated 14 October 1942 regarding good treatment of foreigners
Regulation of the plenipotentiary for mobilization of labor about working contracts of foreign maids
Decree about the work book for foreign workers, dated 1 May 1943
Regulations No. 11 regarding the limitations and length of the employment contract of the workers in the East, as well as the granting of bonuses and vacations, dated 23 July 1943
Regulation No. 13 for the protection of plant discipline, dated 1 November 1943
Decree of Sauckel's for carrying out ordinance No. 13 of the plenipotentiary for the mobilization of labor, dated 1 November 1943
Decree of the Council of Ministers for the Defense of the Reich about working conditions of the workers in the East, dated 25 March 1944
Regulation for the regulation of the working conditions of maids from the East, dated 24 July 1944
Decree of the German labor front regarding employment of foreign workers, dated 4 September 1942
Agreement between the plenipotentiary for the mobilization of labor and the German labor front regarding the welfare of foreign workers, dated 2 June 1943

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Agreement between the plenipotentiary for the mobilization of labor and the German labor front regarding the welfare of foreign workers

Ordinance No. 14 of the plenipotentiary for the mobilization of labor regarding the establishing of a Reich inspection and its tasks

III-E Guidance of labor, French Office for the Welfare of French Workers employed in the Reich

Agreement about the treatment of prisoners of war, dated 27 July 1929

Mobilization of prisoners of war for work purposes, decree of the Reich Labor Ministry dated 10 July 1940

Decree of the Reich Labor Ministry dated 30 September 1941 regarding the payment of separation money to French unemployed workers that live "en menage" with women

Mobilization of prisoners of war, decree of the Reich Labor Minister, dated 7 April 1942

Conduct toward prisoners of war, decree of the plenipotentiary for mobilization of labor, dated 26 August 1942

Regulation for mobilization of labor of French prisoners of war, concerning the granting of separation money

Decree regarding visits to the Reich of French, Belgian, Dutch prisoners of war as well as Italian military internees by members of their families, dated 25 August 1944

Information sheet for general conditions concerning the mobilization of labor of prisoners of war

Directive No. 9 concerning the inspection of billets, messing, heating, and maintenance of camps through camp workmen, of 15 July 1942

Announcement of the German Labor Front concerning the management of Eastern work camps, of 4 August 1942

Camp regulations, 14 July 1943, re Workers of foreign nationality

Explanations regarding camp regulations of 14 July 1943

Decree of the Reichminister of Labor concerning the billeting of workers in camps for the duration of the war

Reichs Law for Sanitary Meat Inspection dated 28 October 1940, concerning establishments of agencies for the distribution of inferior meat

Circular Decree of the Reichsminister for Food and Agriculture of 10 July 1942 concerning food ration cards for foreign civilian workers

Provisions for feeding of prisoners of war and East workers, Decree of the Reichsminister for food and agriculture of 6 October 1942

Circular Decree of the Plenipotentiary for the Utilization of Manpower of 9 June 1943, concerning the taking along of food by foreign workers when travelling home

Circular Decree of the Plenipotentiary for the Utilization of Manpower of 21 July 1943 concerning improved diet provisions and supplementary rations for prisoners of war resp. East workers, kept in camps

Decree of ministerial Counsel regarding taxation and treatment of workers from newly occupied eastern territories according to labor law, of 20 January 1942

Transfer of wages to occupied territories of the USSR, circular of the Reichs Minister of Economics of 13 July 1942

Taxation of workers from the east, Decree of the Reich Minister of Finance of 7 September 1942

Transfer of wages to occupied territories of the USSR, circular of the Reich Minister of Economies of 9 October 1942

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Explanation of instruction No. 11 of the plenipotentiary for mobilization of labor, dated 23 July 1943, concerning premiums to labor of eastern districts
Essay: Transfer of wages of foreign workers and employees by Amtsrat Heimbuerge, Berlin
Instructions for transfer of wages to the General Government
Decree of the plenipotentiary for mobilization of labor regarding Christmas bonuses for workers from eastern districts of 6 December 1943
Equalization of workers from eastern districts with other foreign workers. Decree of the ministerial counsel for the defense of the Reich, pertaining to stipulations of utilization of workers from eastern districts, of 25 March 1944
Decree concerning compensatory pay on utilization of foreign labor from 11 August 1944
Instructions by the Reich Minister of Labor concerning medical care of workers from eastern districts of 1 August 1942
Decree of the Reich Ministry of Labor concerning accident insurance of foreign workers during transportation of 26 September 1942
Circular of the Reich Minister of Economies of 18 December 1942 concerning supply of clothing and shoes to workers of eastern districts employed within the Reich
Instructions concerning protective measures for foreign workers within Germany
Decree, concerning supply of new clothing to workers of eastern districts
Decree, concerning utilization of foreign physicians, druggists and dentists of 5 January 1944
Decree concerning expansion of the law protecting motherhood to female foreigners of 8 January 1944
Decree concerning protective laws for foreign workers and workers of eastern districts of 8 January 1944
Explanation of decree of the plenipotentiary for utilization of labor concerning medical care for workers of eastern districts
Sauckel Speech of 6 January 1943 "Total Mobilization of Labor for Victory"
Sauckel's Circular of 15 March 1943 to all Gauleiters
Sauckel's "Manifesto for the Mobilization of Labor" of 20 April 1943
The Character of the Mobilization of Labor in Greater Germany
"Service to the People--Highest Purpose"
Sauckel's "Sever Principles"
Sauckel's Speech, "Not to miss one hour"
New Regulations regarding stipulations for the mobilization of labor in the East

3. Judicial notice will be taken of the following document:

Illustrated booklet: "Europe is working in Germany", by Dr. Didier

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4. The following applications for documents are denied:

Photostatic copy of a Deportation Order of the Soviet Town Commander of Oels for Mobilization of Labor dated 12 February 1945

Sworn Statement of Rudolf Swichota, dated 17 February 1946 concerning the drafting of 10,000 inhabitants of the town of Saaz for compulsory labor without reimbursement

File of affidavits concerning the housing and treatment of foreign workers

File of affidavits concerning the treatment and housing of female foreign workers

FOR THE TRIBUNAL:

W. L. Mitchell

W. L. MITCHELL
Brigadier General, U.S. Army
General Secretary

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THE INTERNATIONAL MILITARY TRIBUNAL

Nurnberg, Germany
9 May 1946

The Tribunal makes the following order with respect to affidavits taken from members of accused organizations:

It is expected that a considerable number of affidavits will be requested by Counsel from members of organizations mentioned in the indictment, who are now interned in Camps.

The Tribunal considers that if such affidavits are to be accepted as evidence they should be properly sworn.

For this purpose, it will be sufficient for any Allied officer available in the Camps to have the witness swear the affidavit before him and attach his signature.

This rule will also apply to cases where the witness who is giving evidence by affidavit, is not interned in a Camp or Prison, in which case the affidavit should be sworn before an Allied officer in the locality where the witness resides.

Where the witness is located in the Nurnberg Prison, defense counsel should make arrangements through The General Secretary's Office for the rule to be complied with and an appropriate officer to be found.

/s/ Geoffrey Lawrence

GEOFFREY LAWRENCE
President

H5166 – 0046

May 16, 1946

RULES FOR HEARING EVIDENCE BEFORE COMMISSIONERS

As Approved by the Tribunal

Note: The procedure outlined in these Rules starts from the point where the Chief Commissioner has decided which witnesses should be called before a Commissioner and by whom.

PRELIMINARY

1. The Chief Commissioner shall give each Commissioner a list of the witnesses whom he is to hear and shall inform the Defense accordingly.

2. Each Commissioner shall fix the time and place for hearing the witnesses on his list and shall notify the prosecution and the defense thereof.

3. Provision shall be made for the conduct of the proceedings in the German, English Russian, and French languages; but the languages may be limited if, in the discretion of the Commissioner, conduct of the proceedings is not required in all four languages.

4. A stenographic record shall be taken in the languages employed before the Commissioner and transcripts shall be made therefrom. The reporters and the interpreters shall be sworn by the Commissioner and the oath shall be administered in the same manner and form as administered by the Tribunal.

TAKING OF EVIDENCE

5. The witness shall be sworn by the Commissioner and the oath shall be administered in the same manner and form as administered by the Tribunal.

6. Counsel calling the witness shall examine him within the limitations as to relevancy imposed by paragraph (10).

7. Prosecution shall select one counsel to cross-examine on their behalf, but cross-examination by more than one counsel shall be permitted in exceptional circumstances.

8. One defense counsel only may re-examine the witness and such re-examination shall be strictly confined to new matters raised in cross-examination.

9. No witness may be called more than once, except in special cases upon written application to the Commission.

10. (a) In this proceeding, evidence is considered to be relevant which bears upon the following issues:

(1) Whether the organization or group charged consisted substantially of an aggregation of persons sharing a general common purpose to engage in activity defined as criminal under Article 6 of the Charter, and, in this connection, what the aims, tasks, activities, methods, structure, and component parts of the organization were;

(2) Whether membership in the organization was generally voluntary or the result of physical compulsion or legal decree;

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(3) Whether the purpose or activities of the organization or group, defined as criminal under Article 6 of the Charter, were open and notorious or otherwise generally known to the members, so that its membership in general may justly be held to have had knowledge of them at some relevant time.

(b) Evidence is not considered to be relevant in this proceeding which bears only on whether a particular individual was a voluntary or involuntary member or whether he was or was not ignorant of criminal purpose and innocent of criminal activity.

(c) While the Tribunal has concluded that evidence may be taken bearing on the issues defined in paragraph (a) hereof, it reserves its judgment as to the materiality of each of these issues in the determination of the criminality of groups or organizations under Article 9 of the Charter.

11. The decision of a Commissioner upon the relevancy of any evidence or its inadmissability as cumulative, shall be final, subject to the power of the Tribunal to review his decision upon a certificate by the Commissioner or Order of the Tribunal.

12. The transcripts of the stenographic notes of the proceedings before a Commissioner shall be certified by him. A copy of such transcript shall be supplied to the prosecution and to the defense.

* * *

INTERNATIONAL MILITARY TRIBUNAL
Office of the General Secretary

29 July 1946

The Tribunal makes the following order with respect to the applications for documents and affidavits filed on behalf of defendants Ribbentrop, Raeder, Keitel, Sauckel, Rosenberg, Speer, Streicher, and Seyss-Inquart:

Ribbentrop

The following affidavits are granted:

Thadden - Ribbentrop Exhibit #319
Best - Ribbentrop Exhibit #323
TC-75 - Ribbentrop Exhibit #322

Raeder

The following documents and affidavit are granted:

Affidavit from Boehm - Raeder Document #129
Document files of British Admiralty re landing in Scandinavia and Finland - Raeder Document #133
"Mein Kampf" (original)

Keitel

The following affidavits are granted:

Interrogatory to Buerckner - Keitel Exhibit #23
Affidavit from Jodl - Keitel Exhibit #24
Affidavit from Keitel - Keitel Exhibit #25

Sauckel

The following document is granted:

Decree by Sauckel - return transportation of sick foreign workers

Rosenberg

The Tribunal will take judicial notice of the following affidavit:

Coppert - Rosenberg Exhibit #051

Speer

The following document is granted:

Protocol of the Fuehrer, 4 January 1943 - Speer Document #35

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Streicher

The following documents are granted:

Directive of Dr. Ley - Streicher Exhibit #19
Issue of the "Stuermer" - Streicher Exhibit #20
Summary of circulation of "Stuermer" from January 1936 to October 1935 - Streicher Exhibit #21

Seyss-Inquart

The following affidavits and documents are granted:

Affidavit from Erwin Tschoppe - Seyss-Inquart Document #112
Affidavit from Adalbe Joppich - Seyss-Inquart Document #113
Three letters from Seyss-Inquart to Himmler

FOR THE TRIBUNAL:

JOHN E. RAY
Colonel, FA
General Secretary

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INTERNATIONAL MILITARY TRIBUNAL
Office of The General Secretary

1 August 1946

MEMORANDUM TO: Counsels for Organizations.

Subject: Witnesses, Affidavits and Documents on behalf of Organizations.

1. The Tribunal made the following rulings on August 1, 1946, with regard to affidavits, witnesses and documents:

a. The Commission on affidavits will cease work on affidavits effective 5 August 1946.

b. Taking of affidavits from witnesses in the Nunberg jail is terminated effective 5 August 1946.

c. All witnesses that have not been granted to appear before the Tribunal except those witnesses at present summarizing collecting affidavits in the prison to be dispatched from Nurnberg effective 5 August 1946.

d. All journies of defense counsels, in accordance with the order of 13 March 1946, to take affidavits or consult members of organizations, be terminated as of 5 August 1946.

e. All applications for affidavits and documents are to be submitted to the Tribunal not later than 5 August 1946.

2. All applications for documents submitted previous to the submission of the Document Book are considered superseded by the Document Book itself. Any application forwarded after the submission of the Document Book shall be considered "Supplementary Application for Documents to be included in Document Book" and the reason will be given, stating briefly why this document was not submitted together with the Document Book.

3. If defense counsel wishes to include one of those documents submitted previous to submission of Document Book, he must now re-apply and state why he did not include this document in the Document Book.

4. None of the applications now in the possession of the General Secretary's Office will be considered, but resubmit if desired, in compliance with the above.

FOR THE GENERAL SECRETARY:

JACK L. BAILEY
Major, QMC
Executive

H5166 - 0052

INTERNATIONAL MILITARY TRIBUNAL
Office of the General Secretary

1 August 1946

SUBJECT: Procedure of Presentation of Evidence by Counsels for the Organizations

TO: Counsels for Organizations

1. The Tribunal, in open session on 1 August 1946, made the following rulings regarding procedure of presentation of evidence in behalf of the organizations:

a. Witnesses on behalf of each organization will be examined by defense counsels and cross-examined by the Prosecution in accordance with the procedure outlined by the Tribunal as to order of presentation of the cases for the Organizations.

b. After completion of evidence submitted during examination and cross-examination of witnesses, document books and affidavits will be submitted and brief references to the documents and affidavits will be made to explain their nature and to the points to which they refer.

c. After submission of document books, counsels will present their closing speeches in accordance with same procedure and they will be one-half day each in duration and will be devoted to summarizing the evidence and commenting on any matters of law.

FOR THE GENERAL SECRETARY:

JACK L. BAILEY
Major, QMC
Executive